

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

RODNEY MARCHAND, ) NO. CV-06-0152-MWL  
Plaintiff, ) ORDER GRANTING DEFENDANTS'  
v. ) MOTION TO DISMISS CROSS-CLAIM  
GRANT COUNTY, a municipal )  
corporation, et al., )  
Defendants. )

Plaintiff filed his complaint in this case on May 30, 2006. (Ct. Rec. 1). Defendants Grant County, Frank Detrolio and LT. Alder filed an answer to the complaint on June 29, 2006 (Ct. Rec. 3), and, on July 19, 2006, filed an amended answer, asserting a cross-claim against co-defendant Lowell C. Allred, M.D. (Ct. Rec. 12). The remaining Defendants, including Dr. Allred, filed an answer to the complaint on August 4, 2006. (Ct. Rec. 19).

On September 21, 2006, Defendants Grant County, Frank Detrolio and LT. Alder filed a motion to dismiss their cross-claim asserted against co-defendant Dr. Allred pursuant to Fed. R. Civ. P. 41(a). (Ct. Rec. 22). No timely response from any other party to this lawsuit was received by the Court.

1 Pursuant to Rule 41(a), and based on the foregoing, the Court  
2 **HEREBY ORDERS** that Defendants' motion to dismiss their cross claim  
3 (**Ct. Rec. 22**) is **GRANTED**.

4 **It IS SO ORDERED.** The District Court Executive is hereby  
5 directed to enter this Order and to furnish copies to the parties.

6 DATED this 20<sup>th</sup> day of October, 2006.

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S/Michael W. Leavitt  
MICHAEL W. LEAVITT  
9 UNITED STATES MAGISTRATE JUDGE  
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